



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

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CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP No. 904 of 2025

AND

WMP NO. 1084 OF 2025

R.Saraswathi

Petitioner(s)

Vs

1.The Commissioner
Corporation Of Greater Chennai,
Rippon Buildings, Chennai.

2.The Executive Engineer
Zone-XV, Corporation Of Greater
Chennai, 120, Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.

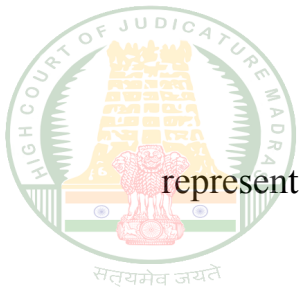
3.Mohan
4.Karthikeyan

Respondent(s)

WP No. 904 of 2025

PRAYER

to direct the respondents 1st to 2nd to take appropriate action on the petitioner's



representation dated 04.12.2024 within the time fixed by this Court.

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For Petitioner(s): Mr.B.Manoharan For
Mr.S.Vimal

For Respondent(s): Mr.D.B.R.Prabhu SC For R1 and
R2.

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The writ of mandamus instituted to direct the respondents 1 and 2 to take appropriate action on the petitioner's representation dated 04.12.2024 .

2. With reference to the allegations of unauthorized construction / deviation, the Executive Engineer, Zone XV submitted a reported. Paragraphs 7, 8, 9, 10 of the report reads as follows:

“7. I respectfully submit that based on the complaint given by the petitioner herein the building in question at Door No.2/69, Survey No.287/27, Kannabiran Koil Street, Uthandi, Chennai - 600 119 was inspected by the officials of Greater Chennai Corporation on 16.12.2024. Further, at the time of inspection it was found that the 4th respondent herein



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has put up his building by deviating the approved plan by converting the stilt floor into ground floor and the 4th respondent herein has not yet commenced the construction of first floor and second floor of the building.

8. I respectfully submit that after inspecting the building in question action has been taken by issuing a Stop Work Notice/Notice Calling for Approved Plan dated 16.12.2024 under Section 56(1) and 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 to the 4th respondent herein.

9. I respectfully submit that further action against the building in question has been taken by issuing a Lock & Seal and Demolition Notice dated 22.01.2025 under Section 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 to the 4th respondent herein.

10. I respectfully submit that further action against the deviated construction will be taken as per the provisions of Tamil Nadu Town and Country Planning Act, 1971. I further submit that with respect to the revocation of plan, it is informed that based on the outcome of this case and judgement, further

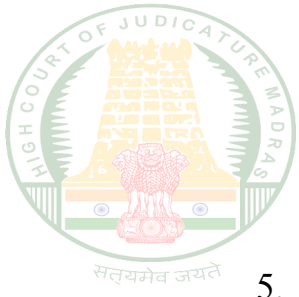


appropriate action will be taken by the 1st and 2nd respondents.”

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3. The Executive Engineer has stated that lock and seal and demolishing notice dated 22.01.2025 was issued under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. Accordingly, 30 days' time is given to demolish the unauthorized construction. In the event of failure, the 4th respondent is directed to demolish the unauthorized portion and restore the building as per the building plan permission. Further actions will be initiated for demolition of the building by the corporation.

4. In view of the above, since the Executive Engineer has taken action, the respondents 1 and 2 are directed to continue the action and ensure that the unauthorized portion of the building are demolished and the construction is made with the building plan permission.



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5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

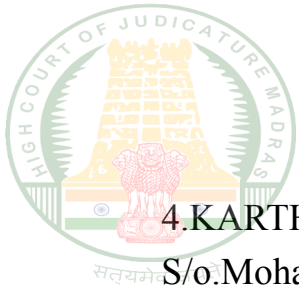
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To

1.The Commissioner
Corporation Of Greater Chennai,
Rippon Buildings, Chennai.

2.The Executive Engineer
Zone-xv, Corporation Of Greater
Chennai, 120, Rajiv Gandhi Salai,
Cholinganallur, Chennai-119.

3.MOHAN
S/o.Late.Shri Pandurangan, No.2/69,
Kannabiran Koil Street, Uthandi,
Sholinganallur, Chennai-119.



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4.KARTHIKEYAN

S/o.Mohan, No.2/69, Kannabiran Koil
Street, Uthandi, Sholinganallur,
Chennai-119.

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**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

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